

**A.C. 41644**

STATE OF CONNECTICUT

v.

RICKIE LAMONT KNOX

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APPELLATE COURT

STATE OF CONNECTICUT

FEBRUARY 24, 2020

**MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE REPLY BRIEF**

The Defendant, Rickie Lamont Knox, respectfully moves this Court pursuant to Connecticut Practice Book §§ 66-1, 66-2, and 66-3 for an extension of time up to and including **March 25, 2020**, within which to file his brief. The Defendant is incarcerated. Opposing counsel does not object to the requested extension.

**I. HISTORY OF THE CASE**

The defendant was charged by substitute Information with murder, in violation of General Statutes § 53a-54a, criminal possession of a firearm, in violation of General Statutes § 53a-217, tampering with evidence, in violation of General Statutes § 53a-155, and carrying a pistol without a permit, in violation of General Statutes §29-35. The defendant's trial, before Judge Jon Alander, and a jury of twelve, commenced on October 20, 2017. On October 31, 2017, the state filed a substitute Information eliminating the pistol without a permit charge, and the jury received the case. After deliberating over a period of

four days, the jury found the defendant not guilty of murder and lesser included offenses but convicted him of criminal possession of a firearm and tampering with evidence. Thereafter, the court granted the defendant's motion for judgment of acquittal on the tampering count. The state moved for permission to appeal the acquittal on the tampering count, and the court granted permission. The jury convicted the defendant as a persistent serious felony offender on a part B Information. The state filed an appeal on December 17, 2017. See A.C. 41168. On February 9, 2018, the court imposed a sentence of 20 years' incarceration on the enhanced criminal possession of a firearm charge, to run concurrent with the sentence on a violation of probation in Docket No. CR06-062214. The defendant filed the instant appeal. The defendant filed his brief on September 26, 2020. The state filed its responsive brief on January 15, 2020. The defendant's reply brief is presently due February 24, 2020.

The defendant filed his responsive brief in the state's appeal on January 3, 2020. The state's reply brief is presently due on or before June 10, 2020.

## **II. SPECIFIC FACTS RELIED ON**

The Defendant requests the extension of time in which to file his brief based on the following facts.

In addition to my responsibilities with respect to this appeal, as well as a number of criminal matters currently pending in the superior courts, I have the following obligations: (1) the defendant's brief in the certified appeal in *State v. Andre Dawson*, S.C. 20361, which is due on February 18, 2020; (2) the defendant's brief in *State v. Joel Alexander*, S.C. 20316, which is presently due on February 28, 2020, but which I expect to request an extension to file on or before April 10, 2020; and (3) the plaintiffs' brief in *Chapnick v. DiLauro, et al.*, A.C. 43128, which is presently due March 25, 2020, but which I expect to request an extension to file on or before April 22, 2020.

In light of this schedule, the defendant respectfully requests that the Court extend

the filing date for his reply brief to March 25, 2020. The state has no objection to the granting of this motion. The requested extension is necessary so that counsel may effectively represent Mr. Knox.

### **III. LEGAL GROUNDS**

In support of this motion, the defendant relies upon Conn. Prac. Bk. §§ 66-1, and 66-2, article first, § 8, of the Connecticut constitution, Amendments VI and XIV of the United States Constitution, and the doctrines of *Evitts v. Lucey*, 469 U.S. 387 (1985) (right to effective assistance of counsel on appeal); *Small v. Commissioner*, 286 Conn. 707, 712-13 (2008) (same), cert. denied, 129 S. Ct. 481 (2008).

### **IV. CONCLUSION**

Wherefore, the Defendant respectfully requests that the Court grant this Motion for Extension of Time.

Respectfully submitted,

RICKIE LAMONT KNOX

BY: /s/ Erica A. Barber  
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### **CERTIFICATION**

Pursuant to P.B. §§ 62-7, 10-13, 10-14, and 66-3 it is hereby certified that a copy of the foregoing was electronically sent this 24<sup>th</sup> day of February, 2020 to James Ralls, Senior Assistant State's Attorney, Juris No. 401844, Office of the Chief State's Attorney Appellate Bureau, 300 Corporate Place, Rocky Hill, CT 06067, tel. (860) 258-5807, fax (860) 258-5828, DCJ.OCSA.Appellate@ct.gov; and was sent by mail to the defendant, Rickie Lamont Knox, inmate # 248785. Counsel further certifies that opposing counsel has consented to receiving the motion by electronic mail.

I also certify that the defendant-Defendant's motion complies with all the provisions of Conn. Prac. Bk. §§ 60-7, 66-1, 66-2 and 66-3.

/s/ Erica A. Barber JN 436725